

**New Hampshire Racing & Charitable Gaming Commission**  
**Commission Meeting**  
**Concord Office**  
**January 18, 2013**  
**13-01**

Present: Timothy J. Connors, Chairman  
Warren W. Leary, Secretary  
Frederick H. Booth, Member  
Michael J. Gatsas, Member  
Lynn M. Presby, Member  
Anthony B. Urban, Member  
Paul M. Kelley, Director  
Sudhir K. Naik, Deputy Director  
Charles J. Saia, Legal Coordinator  
Steve Johnston, Supervisor Gaming Operations  
Linda Glaser, Auditor  
Linda R. Darrow, Administrative Secretary

In Attendance: Ed Callahan, Dick Bouley, Shawn Flanagan, Dan Mullen, Rick Newman, George Roberts, Peg O'Brien, Mary Carney Rohacek and others.

The Chairman called the meeting to order at 11:00 a.m.

Commissioner Presby requested the public minutes dated December 28, 2012 be amended as follows: On page 2, under Correspondence, second paragraph, fourth sentence, the word "**state**" should read "**governmental**". On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to approve the minutes as amended and place them on file.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to place on file the racing & charitable gaming statistics for the fiscal period of July 1 2012 – December 31, 2012.

The Games of Chance warning letters/late financials spreadsheets were reviewed. Deputy Director Naik stated that all outstanding issues have been resolved satisfactorily. The items were accepted and placed on file.

The Games of Chance State Revenue spreadsheets were reviewed. The spreadsheets were accepted and placed on file.

Various game operators requested the Commission allow secondary game operators to work pending their final license approval. Director Kelley noted that this request had come before the Commission in July from one game operator and the request had been denied at that time. He also noted that Mr. Newman suggested, as an option, that this request only apply to renewals. Discussion ensued. Commissioner Presby noted that the issue continues to be one of recruitment and retention and that the game operators create an employee pool of licensed applicants to be used as needed. On a motion by Commissioner Presby, seconded by Commissioner Gatsas and unanimously voted to deny the request.

Action Item:

*Casino Game Rental bond issue:* Casino Game Rental requested release of the collateral surety bond in the amount of \$20,000 they posted with the Commission when they were a licensee of RCGC. Northway Bank filed a petition with the courts requesting any accounts held by RCGC be attached. Legal Coordinator Saia stated that the final written order by the Coos County Superior Court has yet to be received by the AG's office for review and response. On a motion by Commissioner Gatsas, seconded by Commissioner Presby and unanimously voted to table this item until the final written order is received.

Tabled

- a. *Staff to prepare policy statement regarding unlicensed machines, equipment and/or devices installed in licensed facilities:* Attorney Mullen addressed the Commission with his client's concern with the wording "or in a structure under the control of" found in the first paragraph. Discussion ensued. Attorney Mullen agreed to reword the statement to address the Commission's concerns and will forward it to Legal Coordinator Saia next week.

Commissioner Booth asked that the words "or suspension" be added at the end of the last sentence of the second paragraph.

Mr. Rick Newman addressed the Commission. He expressed a concern that any policy set by the Commission include the wording "or that are authorized by state law" in the first paragraph after the words *that are approved by this Commission or another state agency*".

On a motion by Commissioner Booth, seconded by Commissioner Presby and unanimously agreed to keep this item tabled until the next Commission meeting.

Correspondence:

Correspondence was reviewed and placed on file.

Old Business:

None.

New Business:

- Director Kelley handed out copies of John DiStaso's Granite Status. An LSR is in the works to limit simulcast dog racing, which will impact state revenue.
- Director Kelley handed out copies of a letter from the Attorney General's office regarding changes to the right-to-know law. All right-to-know requests will continue to be funneled through Legal Coordinator Saia.
- Director Kelley handed out copies of "Gambling and New Hampshire – January 2013 Update" put out by the New Hampshire Center for Public Policy Studies. Stressed at the meeting which he attended was the issue of problem gambling.

There being no questions or comments from the audience, at 11:25 a.m., on a motion by Commissioner Urban, seconded by Commissioner Booth and by a unanimous roll call vote the Commission voted to adjourn the regular meeting and go into nonpublic session as allowed under RSA 91-A:3, I (b), II(c) and II(j)

Connors                      -                      Yes

|        |   |     |
|--------|---|-----|
| Leary  | - | Yes |
| Booth  | - | Yes |
| Gatsas | - | Yes |
| Presby | - | Yes |
| Urban  | - | Yes |

At 12:00 noon, on a motion by Commissioner Leary, seconded by Commissioner Urban and by a unanimous roll call vote the Commission voted to come out of the nonpublic session and permanently seal the nonpublic minutes.

|         |   |     |
|---------|---|-----|
| Connors | - | Yes |
| Leary   | - | Yes |
| Booth   | - | Yes |
| Gatsas  | - | Yes |
| Presby  | - | Yes |
| Urban   | - | Yes |

The next meeting is scheduled for Monday, February 11<sup>th</sup> at 11:00 a.m., to be held in the Board of Pharmacy conference room.

The Chairman closed the public meeting at 12:10 p.m.

Respectfully Submitted,

Warren W. Leary, Jr.  
Secretary